S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4327/2007
(Iliyas Vs. State of Rajasthan)

DATE OF ORDER : 04/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Shambhoo Singh for the petitioner.
Mr. Ashok Upadhayay, Public Prosecutor for State.
Mr. G.L.Khatri for the complainant.

Heard learned counsel for the petitioner and Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned.

By order dated 18.9.2007, the petitioner was directed to return the dowry articles to the police. In compliance thereof, the petitioner has already returned the dowry articles.

Learned public prosecutor submits that he has received the police investigation diary and the dowry articles have been returned by the petitioner.

Looking to the facts and circumstances of the case and the fact that dowry articles have already been returned, having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioner under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioner u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Iliyas S/o Tajjmal Husain alias Taj Mohammad, in FIR No. 62/2007 P.S. Salasar, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the

following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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